

August 6, 2021

**Submitted via USPS and to FOIAonline.gov**

National FOIA Office  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (2310A)  
Washington, DC 20460

**Re: Freedom of Information Act Request**

Dear Sir or Madam:

This is a request pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and the U.S. Environmental Protection Agency’s (“EPA”) FOIA regulations, 40 C.F.R. pt. 2, for records of the EPA. In accordance with these authorities, please make available a copy of any of the following responsive documents,<sup>1</sup> including but not limited to: any and all documents, including supporting materials, dated November 10, 2020 through August 3, 2021, relating to EPA’s review of the 2020 Steam Electric Reconsideration Rule, 85 Fed. Reg. 64,650 (Oct. 13, 2020), and EPA’s decision, announced in a press release on July 26, 2021 and published in the Federal Register at 86 Fed. Reg. 41,801 (Aug. 3, 2021), to undertake a rulemaking to revise the Steam Electric Power Generating Effluent Limitations Guidelines and Standards.

If an exemption or denial under FOIA is claimed, we request that you furnish us with all non-exempt portions of such records. We further request that, regardless of whether the disclosure of a record is denied in whole or in part, EPA provide us with the following information regarding such withheld records or portions thereof:

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<sup>1</sup> The term “documents” as used herein includes originals, non-identical copies and drafts, printed, reproduced by hand or otherwise, and includes, but is not limited to, correspondence, letters, memoranda, notes, e-mails, inter- or intra-office, agency, or departmental communications, records, summaries of personal or telephone conversations or interviews, minutes or records of meetings or conferences (including meetings of boards, committees, sub-committees, or any individual member thereof), press releases, telegrams, telexes, books, preliminary and final reports, logs, diaries, audio recordings, video recordings, computer files, charts, notebooks, calendars, statistical statements, tables, tabulations, calculations, data, diagrams, plans, drawings, blueprints, and orders, opinions or reports of consultants, experts, engineers, accountants or analysts.

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1. The title of the record;
2. The date of the record;
3. A description of the general nature and subject matter of the record;
4. The identity of the author or authors of the record;
5. The identity of all persons who received the record; and
6. The reasons for the claim of exemption.

We are willing to pay appropriate fees attributable to this request and to make whatever payment arrangements are necessary. Under 40 C.F.R. § 2.107(b)(1), the fee category is “commercial use request.” However, please contact me if you estimate that the fees will exceed \$1,000. We request that these documents be provided either in paper form or in electronic format (either Word or Adobe pdf), whichever is more cost effective.

Pursuant to 40 C.F.R. § 2.104(a), it is our understanding that we will receive a response within 20 working days from the date this request is received. We look forward to hearing from you on or before September 3, 2021.

Please direct copies of the information requested and all correspondence regarding this request to my attention at the above address. Thank you for your attention to this request. If you have any questions, please contact me at (202) 955-1629.

Sincerely,



Brian R. Levey